

REMARKS/ARGUMENTS

favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 15-18, 20-25, 27-32, 38-51, 56-57, 59 and 64-70 are pending in this application. No claim amendments are presented, thus, no new matter is added.

In the outstanding Office Action, Claims 15-18, 20-25, 27-32, 38, 39, 41-47, 49, 51, 56, 57, 59, 64-70 were rejected under 35 U.S.C. 102(e) as anticipated by Noreen et al. (U.S. Publication No. 2002/0183059, herein "Noreen"); and Claims 40, 48 and 50 were rejected under 35 U.S.C. 103(a) as unpatentable over Noreen in view of Lyons (U.S. Patent No. 6,282,412).

Applicant respectfully traverses the rejection of the pending claims in view of Noreen under 35 U.S.C. 103(a) and 35 U.S.C. 102(e), as Noreen is not available as prior art.

The present application claims priority under 35 U.S.C. § 371 to PCT CH98/00512 having an international filing date (and priority date) of December 2, 1998. While the face of the patent is unclear, the applicable date of the Noreen reference is either December 7, 2000 (filing date of PCT), or December 10, 1999 (this appears to be the filing date of a parent application). Nonetheless, the priority date of the present application predates both of these dates, thereby disqualifying this reference as prior art against the present application.

Accordingly, Applicant respectfully requests that the rejection of the pending claims under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) based on Noreen, be withdrawn.

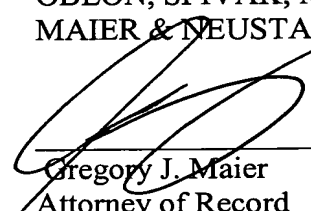
Consequently, for the reasons discussed above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Application No. 09/857,124
Reply to Office Action of June 5, 2006

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Andrew T. Harry
Registration No. 56,959

I:\ATTY\ATH\PROSECUTION\23'S\236109US\2361109US-AM DUE 9.5.06.DOC